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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/499,369	02/07/2000	Toshitsugu Wakabayashi	1190-0437P	1167

7590 09/25/2007
Birch Stewart Kolasch & Birch LLP
P O Box 747
Falls Church, VA 22040-0747

EXAMINER

TRAN, TRANG U

ART UNIT	PAPER NUMBER
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2622

MAIL DATE	DELIVERY MODE
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09/25/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/499,369

Applicant(s)

WAKABAYASHI, TOSHITSUGU

Examiner

Trang U. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2007 and 12 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-10,12-16 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-15 is/are rejected.
- 7) ☒ Claim(s) 1-4,6-10,16 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 12, 2007 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-4, 6-10, 12-16 and 18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 12-15 are rejected under 35 U.S.C. 102(a) as being anticipate by Nishino Kenji (JP Patent No. 06-12195).

In considering claim 12, Nishino Kenji discloses all the claimed subject matter, note 1) the claimed passing said image signal through a primary winding is met by coils L1 and L2 (see the abstract and page 2, [0020]-[0023]), and 2) the claimed varying a frequency characteristic of the image signal by controlling current passing through a

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secondary winding to vary an inductance value of said primary winding in said periodic manner is met by the circuit 10 generates an alternating voltage, and a horizontal and vertical alternating magnetic field is generated at coils L1 and L2, then, three horizontal in-line arranged original color electronic beams are horizontal vibrated a little, and the display position of a color video signal supplied to a color cathode ray tube is horizontal shifted a little by each line (see the abstract and page 2, [0020]-[0023]).

In considering claim 13, the claimed wherein the image is divided into spatial lines and temporal frames, and said step of periodically varying alters said frequency characteristic once per spatial line in each temporal frame is met by the video image (see the abstract and page 2, [0020]-[0023]).

In considering claim 14, the claimed wherein said step of periodically varying also alters said frequency characteristic once per said temporal frame in each said spatial line is met by a coil L1 and L2 (Fig. 5, page 2, [0020]-[0023] of Nishino Kenji).

In considering claim 15, the claimed wherein controlling current passing through said secondary winding is performed by alternately opening and closing the secondary winding in said periodic manner is met by a coil L1 and L2 (Fig. 5, page 2, [0020]-[0023] of Nishino Kenji).

Allowable Subject Matter

5. Claims 1-4, 6-10, 16 and 18 are allowable.

Claims 7-9 and 16 identify the uniquely distinct features "wherein said waveform characteristic is an amplitude characteristic, and the control circuit comprises: a first amplifier circuit amplifying the image signal with a first gain characteristic; a second

amplifier circuit amplifying the image signal with a second gain characteristic differing from the first gain characteristic; and a timing circuit selecting the first amplifier circuit and the second amplifier circuit alternately". The closest prior arts, Murayama et al. (US Patent No. 6,346,936) and Nishino Kenji (JP Patent No. 06-12195), either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

Claims 10 and 18 identify the uniquely distinct features "further comprising a control unit that determines a resolution of the image signal and activates the control circuit, when said resolution is higher than a predetermined value and does not activate the control circuit when said resolution is lower than the predetermined value". The closest prior arts, Murayama et al. (US Patent No. 6,346,936) and Nishino Kenji (JP Patent No. 06-12195), either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang U. Tran whose telephone number is (571) 272-7358. The examiner can normally be reached on 8:00 AM - 5:30 PM, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

May 14, 2007



Trang U. Tran
Primary Examiner
Art Unit 2622